

CITY COUNCIL PROCEEDINGS

AGENDA ITEM

January 10, 2011

1. Following the Pledge of Allegiance, a regular meeting of the City Council of the City of St. Cloud, Minnesota, was held on January 10, 2011 at 6 p.m. in the City Council Chambers.
2. Moment of Silence for our men and women serving in the Armed Forces.
3. Councilmember present were Berg, Goerger, Gohman, Hontos, Johnson, Libert, and Masters.
4. Oath of Office administered to At-Large Council member Jeff Goerger.

Special Recognition:

5. Presentation of monetary gift to the City of St. Cloud in support of the Mayor's "Meet Your Neighbor" initiative. The St. Cloud Church presented the City with a check of \$3,000 for the "Meet Your Neighbor" initiative. Goerger/Hontos moved to accept the donation. Motion carried unanimously.
6. Mayor's presentation of the 2010 Reflection of the Year Award to The Optimists Clubs. The Mayor presented awards to the St. Cloud Morning Optimists (President Don Berger) and the Central MN Noon Optimists (President Dale Hellickson) for their contribution to the City and the Community, specifically to the area youth.

Consent Agenda:

7. **APPROVAL OF AGENDA.** ACTION TAKEN: Approved.
8. **A) APPROVAL OF MINUTES AND SUMMARY OF PROCEEDINGS OF THE REGULAR CITY COUNCIL MEEETING HELD DECEMBER 6, 2010; AND
B) APPROVAL OF MINUTES AND SUMMARY OF PROCEEDINGS OF THE REGULAR CITY COUNCIL MEETING HELD DECEMBER 20, 2010.**
ACTION TAKEN: Approved. Councilmember Goerger abstained.

9. **REQUEST TO SET A SPECIAL MEETING (CLOSED SESSION) OF THE CITY COUNCIL ON MONDAY, JANUARY 24, 2011, AT 5:30 P.M. FOR THE PURPOSE OF DISCUSSING A LITIGATION SETTLEMENT PROPOSAL.** ACTION TAKEN: The Special Closed Meeting was set for 5:30 p.m. on January 24, 2011.
10. **MAYOR'S APPOINTMENT OF COUNCILMEMBER JEFF JOHNSON TO THE ECONOMIC DEVELOPMENT AUTHORITY.** ACTION TAKEN: Approved.
11. **MAYOR'S APPOINTMENT OF COUNCILMEMBER JEFF GOERGER TO THE HOUSING AND REDEVELOPMENT AUTHORITY.** ACTION TAKEN: Masters/Johnson moved approval with the amendment to also appoint Councilmember Gohman. Motion carried unanimously 5-0-2; Councilmembers Goerger and Gohman abstained.
12. **APPLICATION FOR A TEMPORARY ON-SALE LIQUOR LICENSE FOR AN ANNUAL WINTERFEST "COUNTRY HOEDOWN" PARISH SOCIAL ON FRIDAY, FEBRUARY 4, FROM 6-10 P.M. AT NEWMAN CENTER.** ACTION TAKEN: Approved.
13. **RESOLUTION AUTHORIZING THE CONDUCT OF OFF-SITE CHARITABLE GAMBLING FOR THE COLD SPRING LIONS CLUB FOR AN EVENT TO BE HELD FEBRUARY 4, 2011 AT THE KELLY INN.** ACTION TAKEN: Approved. Resolution was adopted and assigned number 2011-1-01.
14. **ORDINANCE AMENDING SECTION 100 OF THE 2007 CODE OF ORDINANCES OF THE CITY OF ST. CLOUD ENTITLED, "HOW TO USE THE CODE, SEPARABILITY AND PENALTIES," BY ESTABLISHING A NEW SUBSECTION 100:60 ENTITLED, "VENUE IN CRIMINAL CASES."** ACTION TAKEN: Public hearing was set for January 24, 2011. Assigned proposed ordinance number 2011-01.

15. **A) APPROVE THE ST. CLOUD ROTARY CLUB’S REQUEST TO HOST “SUMMERTIME BY GEROGEL!” WEEKLY MUSIC FESTIVAL; AND
B) APPROVE APPLICATION FOR EXEMPTION TO THE ST. CLOUD NOISE ORDINANCE FOR THE “SUMMERTIME BY GEORGE!” MUSIC FESTIVAL.**
ACTION TAKEN: Masters/Goerger moved approval. Motion carried unanimously.
16. **RIVER BLUFFS REGIONAL PARK LEGACY GRANT PROJECT – ARCHAEOLOGICAL SURVEY AGREEMENT.** ACTION TAKEN: Berg/Masters moved approval. Motion carried unanimously.
17. **APPROVAL OF QUOTES FOR FIRE STATION #3 RESTORATION WORK.**
ACTION TAKEN: Approved. Councilmember Gohman abstained.
18. **APPROVAL OF SALE OF USED SELF CONTAINED BREATHING APPARATUS TO DALMATIAN FIRE.** ACTION TAKEN: Approved.
19. **RESOLUTION APPROVING COMMUNITY DEVELOPMENT GRANT FUNDS IN THE AMOUNT OF \$70,000 TO REPLACE THE CLEMENS HALL ROOF AT WHITNEY SENIOR CENTER (WSC).** ACTION TAKEN: Berg/Gohman moved approval. Motion carried unanimously. Resolution was adopted and assigned number 2011-1-02,
20. **APPLICATIONS FOR RENEWAL OF SPECIAL PARKING ZONE PERMITS FOR 2011.** ACTION TAKEN: Approved.
21. **APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES, ST. CLOUD STATE UNIVERSITY, AND THE CITY OF ST. CLOUD RELATED TO LAND ACQUISITION AT THE ST. CLOUD REGIONAL AIRPORT.** ACTION TAKEN: Approved.
22. **APPROVAL TO ALLOW THE MAYOR AND CITY CLERK TO ENTER INTO AN AIR SERVICE CONSULTING AGREEMENT BETWEEN FORECAST, INC.,**

AND THE ST. CLOUD REGIONAL AIRPORT. ACTION TAKEN: Hontos/Goerger moved approval. Motion carried unanimously.

Open Forum:

No one testified.

Public Hearings:

23. **CONSIDERATION OF RESOLUTION ORDERING 10TH AVENUE NORTH AREA NEIGHBORHOOD IMPROVEMENTS – PHASE 2.**

Steve Foss, City Engineer, gave an overview of the improvements. He noted that an informational meeting was held on December 9, 2010 and there was general support from the neighborhood. Council President Libert opened the public hearing. The following individual testified:

Chad Flakne

700 10th Ave. N.; Mr. Flakne had a concern on who would pay the cost of removing the large pine trees if they were damaged during the improvements. He also wondered if he would be responsible if someone was injured on the sidewalk or retaining wall outside of his home.

Steve Foss

Noted that the Engineer's pay close attention to where they position the sidewalk to help save the trees. Also, neither he nor the City would be responsible for someone getting injured unless there was some known damage to the area that they did not attempt to fix.

Council President Libert closed the public hearing. Councilmember Hontos wanted to exclude the sidewalk addition on 7th St. N. between 9th and 10th Ave.; however, the consensus of the Council was to include it in the improvements. Masters/Berg moved approval of the resolution. Motion carried 6-0-1; Councilmember Goerger abstained due to the fact that he lives in this neighborhood. Resolution was adopted and assigned number 2011-1-03.

24. **ORDINANCE VACATING 1926 FLOWAGE EASEMENT AND 1970S**

SANITARY SEWER EASEMENT INTERNAL TO THE ST. CLOUD HOSPITAL CAMPUS. (LOCATION: 1200, 1240, 1406, 1450, 1540, AND 1554 6TH AVENUE NORTH) (VAC-2010-06).

Matt Glaesman, Community Development Director, presented the Ordinance. He noted that the Planning Commission reviewed the Ordinance and recommended approval. Councilmember Libert opened the public hearing. No one testified. Council President Libert closed the public hearing. Goerger/Berg moved approval. Motion carried unanimously. Ordinance was assigned number 2489.

25. **ORDINANCE VACATING 10 FOOT WALKWAY RIGHT-OF-WAYS CONNECTING MOON CIRCLE AND SUN CIRCLE TO ROTARY PARK. (LOCATION: 16 & 17 SUN CIRCLE AND 14 & 19 MOON CIRCLE) (VAC-2010-05).**

Matt Glaesman, Community Development Director, gave a brief overview of the Ordinance and noted that the Planning Commission reviewed it and recommended approval. Council President Libert opened the public hearing. No one testified. Council President Libert closed the public hearing. Goerger/Johnson moved approval. Motion carried unanimously. Ordinance was assigned number 2490.

Adjournment: There being no further business to discuss the meeting was adjourned at 6:59 p.m.

City Council President

John Libert

Jennifer Burrows, Recording Council Secretary